

Energy and Water Development: FY2014 Appropriations, Preliminary Tables

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Summary

The Energy and Water Development appropriations bill provides funding for civil works projects of the Army Corps of Engineers (Corps), for the Department of the Interior's Bureau of Reclamation (Reclamation) and the Department of Energy (DOE), and for a number of independent agencies.

FY2013 Energy and Water Development appropriations were considered in the context of the Budget Control Act of 2011 (BCA, P.L. 112-25), which established discretionary spending limits for FY2012-FY2021. On March 26, 2013, the President signed H.R. 933, the FY2013 Defense and Military Construction, and Veterans Affairs, Full Year Continuing Appropriations Act (P.L. 113-6). The act funds Energy and Water Development accounts at the FY2012 enacted level for the rest of FY2013, with some exceptions. However, under BCA, an automatic spending reduction process, consisting of a combination of sequestration and lower discretionary spending caps, went into effect March 1, 2013. The effect of these reductions on the budgetary resources that will ultimately be available to an agency at the account level remains unclear until further guidance is provided by OMB as to how these reductions should be applied.

President Obama's FY2014 budget request for Energy and Water Development was released in April 2013.

For FY2014, as in previous years, the level of overall spending will be a major issue. On March 21, 2013, the House passed H.Con.Res. 25, setting FY2014 spending at \$2.77 trillion. On March 23, the Senate passed S.Con.Res. 8, with a spending level for FY2014 of \$2.96 trillion. Allocations for individual appropriations bills have not yet been set by the Appropriations Committees.

In addition to overall funding levels, issues specific to Energy and Water Development programs include

- the distribution of appropriations for Corps (Title I) and Reclamation (Title II) projects that have historically received congressional appropriations above Administration requests;
- alternatives to the proposed national nuclear waste repository at Yucca Mountain, NV, which the Administration has abandoned (Title III: Nuclear Waste Disposal); and
- proposed FY2014 spending levels for Energy Efficiency and Renewable Energy (EERE) programs (Title III) that are more than 50% higher in the Administration's request than the amount appropriated for FY2012.

This report is a preliminary summary of funding levels requested by the Administration for FY2014. For detailed discussion of issues involved in individual programs, see CRS Report R42498, *Energy and Water Development: FY2013 Appropriations*.

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Most Recent Developments

President Obama's FY2014 budget request for Energy and Water Development was released in April 2013. The request totaled \$34.9 billion.

Overview

The Energy and Water Development bill includes funding for civil works projects of the U.S. Army Corps of Engineers (Corps), the Department of the Interior's Central Utah Project (CUP) and Bureau of Reclamation (Reclamation), the Department of Energy (DOE), and a number of independent agencies, including the Nuclear Regulatory Commission (NRC) and the Appalachian Regional Commission (ARC).

The Budget Control Act and Energy and Water Development Appropriations for FY2013 and FY2014

FY2013 discretionary appropriations were considered in the context of the Budget Control Act of 2011 (BCA, P.L. 112-25), which established discretionary spending limits for FY2012-FY2021. The BCA also tasked a Joint Select Committee on Deficit Reduction to develop a federal deficit reduction plan for Congress and the President to enact by January 15, 2012. Because deficit reduction legislation was not enacted by that date, an automatic spending reduction process established by the BCA was triggered; this process consists of a combination of sequestration and lower discretionary spending caps, initially scheduled to begin on January 2, 2013. The "joint committee" sequestration process for FY2013 requires the Office of Management and Budget (OMB) to implement across-the-board spending cuts at the account and program level to achieve equal budget reductions from both defense and nondefense funding at a percentage to be determined, under terms specified in the Balanced Budget and Emergency Deficit Control Act of 1985 (BBEDCA, Title II of P.L. 99-177, 2 U.S.C. 900-922), as amended by the BCA. For further information on the Budget Control Act, see CRS Report R41965, *The Budget Control Act of 2011*, by Bill Heniff Jr., Elizabeth Rybicki, and Shannon M. Mahan.

The American Taxpayer Relief Act (ATRA, P.L. 112-240), enacted on January 2, 2013, made a number of significant changes to the procedures in the BCA that will take place during FY2013. First, the date for the joint committee sequester to be implemented was delayed for two months, until March 1, 2013. Second, the dollar amount of the joint committee sequester was reduced by \$24 billion. Third, the statutory caps on discretionary spending for FY2013 and FY2014 were lowered. For further information on the changes to BCA procedures made by ATRA, see CRS Report R42949, *The American Taxpayer Relief Act of 2012: Modifications to the Budget Enforcement Procedures in the Budget Control Act*, by Bill Heniff Jr.

Pursuant to the BCA, as amended by ATRA, President Obama ordered that the joint committee sequester be implemented on March 1, 2013.¹ The accompanying OMB report indicated a dollar amount of budget authority to be canceled to each account containing non-exempt funds.² The

¹White House, President Obama, Sequestration Order for Fiscal Year 2013 Pursuant to Section 251A of the Balanced Budget and Emergency Deficit Control Act, As Amended, March 1, 2013, available at <http://www.whitehouse.gov/sites/default/files/2013sequestration-order-rel.pdf>.

²Executive Office of the President, Office of Management and Budget, *OMB Report to the Congress on the Joint Committee Sequestration for Fiscal Year 2013*, March 1, 2013, available at <http://www.whitehouse.gov/sites/default/>

sequester will ultimately be applied at the program, project, and activity (PPA) level within each account.³ Because the sequester was implemented at the time that a temporary continuing resolution was in force, the reductions were calculated on an annualized basis and will be apportioned throughout the remainder of the fiscal year.⁴ Although full year FY2013 funding has been enacted, the effect of these reductions on the budgetary resources that will ultimately be available to an agency at either the account or PPA level remains unclear until further guidance is provided by OMB as to how these reductions should be applied.

Table 1 includes budget totals for energy and water development appropriations enacted for FY2007 to FY2014.

Table 1. Energy and Water Development Appropriations, FY2007 to FY2014

(budget authority in billions of current dollars)

FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014 ^a
29.4	30.9	40.5 ^b	33.4	31.7	34.4 ^c	32.7 ^d	34.9

Source: Compiled by CRS.

Note: Figures represent current dollars, exclude permanent budget authorities, and reflect rescissions.

- a. Requested budget authority.
- b. Includes \$7.5 billion for Advanced Technology Vehicle Manufacturing Loan Program.
- c. Includes \$1.7 billion in emergency funding for the Corps of Engineers.
- d. Total does not include sequestration requirements of the Budget Control Act which went into effect March 1, 2013.

Table 2 lists totals for each of the bill's four titles.

Table 2. Energy and Water Development Appropriations Summary

(\$ millions)

Title	FY2012 Approp.	FY2014 Request	House	Senate	Conf.
Title I: Corps of Engineers	6,726.0 ^a	4,726.0			
Title II: CUP & Reclamation	1,076.4	1,049.6			
Title III: Department of Energy	25,748.0	28,927.9			
Title IV: Independent Agencies	254.5	243.8			
E&W Total	35,529.0^a	34,947.3			

Source: FY2014 budget request, H.Rept. 112-462.

- a. Includes \$1.724 billion in supplemental funding for the Corps of Engineers under the FY2012 Disaster Relief Appropriations Act (P.L. 112-77).

The following tables present the requested FY2014 funding for the major programs included in the Energy and Water Development appropriations bills. Because of the uncertainty involved in

[files/omb/assets/legislative_reports/fy13ombjcsequestrationreport.pdf](https://www.omb.eop.gov/assets/legislative_reports/fy13ombjcsequestrationreport.pdf).

³ Ibid., pp. 11, 13.

⁴ Ibid, p. 5. For general information on continuing resolutions, see CRS Report R42647, *Continuing Resolutions: Overview of Components and Recent Practices*, by Jessica Tollestrup.

the sequestration of FY2013 funding, the requested amounts are compared to the funding appropriated for FY2012.

The present report is a preliminary survey of the proposed FY2014 Energy and Water Development appropriations. A more comprehensive report on the FY2014 appropriation will follow. For a detailed description of these programs, see the CRS Report R42498, *Energy and Water Development: FY2013 Appropriations*.

**Table 3. Energy and Water Development Appropriations
Title I: Army Corps of Engineers**

(\$ millions)

Program	FY2012 Approp.	FY2012 Supplemental^a	FY2014 Request	House	Senate	Conf.
Investigations and Planning	117.0	-	90.0			
Construction	1,617.0	-	1,350.0			
Mississippi River & Tributaries (MR&T)	252.0	802.0	200.0			
Operation and Maintenance (O&M)	2,412.0	534.0	2,588.0			
Regulatory	193.0	-	279.0			
General Expenses	185.0	-	182.0			
FUSRAP ^b	109.0	-	104.0			
Flood Control & Coastal Emergencies (FC&CE)	112.0	388.0	28.0			
Office of the Asst. Secretary of the Army	5.0	-	5.0			
Total Title I	5,002.0	1,724.0	4,726.0^c			

Source: FY2014 budget request, H.Rept. 112-462.

- \$1.724 billion was in supplemental funding was provided under the FY2012 Disaster Relief Appropriations Act (P.L. 112-77).
- Formerly Utilized Sites Remedial Action Program.
- Total includes \$100 million rescission from formerly appropriated funds.

**Table 4. Energy and Water Development Appropriations
Title II: Central Utah Project Completion Account**

(\$ millions)

Program	FY2012 Approp.	FY2014 Request	House	Senate	Conf.
Central Utah Water Conservancy District	26.7	2.5			
Mitigation and Conservation Commission Activities	2.0	1.0			
Total, Central Utah Project	28.7	3.5			

Source: FY2014 budget request, H.Rept. 112-462.

**Table 5. Energy and Water Development Appropriations
Title II: Bureau of Reclamation**

(\$ millions)

Program	FY2012 Approp.	FY2014 Request	House	Senate	Conf.
Water and Related Resources	895.0	791.1			
Policy and Administration	60.0	60.0			
CVP Restoration Fund (CVPRF)	53.1	53.3			
Calif. Bay-Delta (CALFED)	39.7	37.0			
San Joaquin Restoration Fund ^a	—	26.0			
Indian Water Rights Settlement ^a	—	78.7			
Gross Current Reclamation Authority	1,047.7	1,046.1			
Total, Title II (CUP and Reclamation)	1,076.4	1,049.6			

Source: FY2014 budget request, H.Rept. 112-462.

- a. In FY2012 appropriations, the House and Senate Appropriations Committees disagreed with the Administration's request for new accounts for San Joaquin restoration and Indian water rights settlements and opted to retain funding levels within the Water and Related Resources account.

**Table 6. Energy and Water Development Appropriations
Title III: Department of Energy**

(\$ millions)

Program	FY2012 Approp.	FY2014 Request	House	Senate	Conf.
ENERGY PROGRAMS					
Energy Efficiency and Renewable Energy	1,780.5	2,775.7			

Program	FY2012 Approp.	FY2014 Request	House	Senate	Conf.
Electricity Delivery and Energy Reliability	136.2	169.0			
Nuclear Energy	760.5	735.5			
Race to the Top	0.0	200.0			
Fossil Energy R&D	337.1	420.6			
Naval Petrol. and Oil Shale Reserves	14.9	20.0			
Strategic Petroleum Reserve	192.7	189.4			
Northeast Home Heating Oil Reserve	10.1	8.0			
Energy Information Administration	105.0	117.0			
Non-Defense Environmental Cleanup	235.3	213.0			
Uranium D&D Fund	472.2	554.8			
Science	4,935.0	5,152.8			
Energy Transformation Acceleration Fund (ARPA-E)	275.0	379.0			
Nuclear Waste Disposal	0.0				
Departmental Admin. (net)	126.0	118.4			
Office of Inspector General	42.0	42.1			
Adv. Tech. Vehicles Manuf. Loan	6.0	6.0			
Innovative Tech. Loan Guarantee	0.0	0.0			
TOTAL, ENERGY PROGRAMS	9,428.5	11,101.2			
DEFENSE ACTIVITIES					
National Nuclear Security Administration (NNSA)					
Weapons Activities	7,214.8	7,868.4			
Nuclear Nonproliferation	2,301.0	2,140.1			
Naval Reactors	1,080.0	1,246.1			
Office of Administrator	410.0	397.8			
Total, NNSA	11,005.8	11,652.5			
Defense Environmental Cleanup	5,003.0	5,316.9			
Other Defense Activities	823.4	749.1			
Defense Nuclear Waste Disposal	0.0	0.0			
TOTAL, DEFENSE ACTIVITIES	16,832.0	17,718.5			
POWER MARKETING ADMINISTRATION (PMAs)					
Southeastern	0.0	0.0			
Southwestern	11.9	11.9			

Program	FY2012 Approp.	FY2014 Request	House	Senate	Conf.
Western	96.0	95.9			
Falcon & Amistad O&M	0.2	0.4			
TOTAL, PMAs	108.1	108.2			
Total, Title III	26,368.6	28,927.9			

Source: FY2014 budget request.

**Table 7. Energy and Water Development Appropriations
Title IV: Independent Agencies**

(\$ millions)

Program	FY2012 Approp.	FY2014 Request	House	Senate	Conf.
Appalachian Regional Commission	\$68.3	\$64.6			
Nuclear Regulatory Commission	1,038.1	1,055.0			
(Revenues)	-909.5	-930.7			
Net NRC (including Inspector General)	128.6	124.3			
Defense Nuclear Facilities Safety Board	29.1	29.9			
Nuclear Waste Technical Review Board	3.4	3.0			
Denali Commission	10.7	7.0			
Delta Regional Authority	11.7	11.0			
Northern Border Regional Commission	1.5	1.0			
Southern Crescent Regional Commission	0.3	0.0			
Fed. Coord. Alaska Gas Projects	1.0	3.0			
Total	254.5	243.8			

Source: FY2014 budget request, H.Rept. 112-462.

Note: Figures may not add due to rounding.

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